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Attorney for Plaintiff Liya Liu

**IN THE UNITED STATES DISTRICT COURT
OF THE
NORTHERN MARIANA ISLANDS**

LIYA LIU,) CASE NUMBER: 07-0032
Plaintiff,)
vs.) DECLARATION OF LIYA LIU IN
XU LAN CORPORATION, GUI LAN XU,) SUPPORT OF REQUEST FOR ENTRY
AND DOES 1-3,) OF DEFAULT JUDGMENT
Defendants.)

I, LIYA LIU, do hereby declare and state as follows:

1. I am over eighteen (18) years of age, legally competent to testify, and have personal knowledge of the matters set forth herein.

2. I am the Plaintiff in the above-referenced case.

3. On January 13, 2005, the Director of Labor for the Commonwealth of the Northern Mariana Islands approved the Employment Contract between Xu Lan Corporation dba Penguin II and me.

4. On February 17, 2005, I arrived on Saipan, and I began working for Defendant Xu Lan Corporation the same day.

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1 5. From February 17, 2005, to September 5, 2005, I worked from 4:00 p.m., to 2:00 a.m.
2 I worked many overtime hours during this period as set forth below.

3 6. From September 6, 2005, to January 13, 2006, I worked from 6:00 p.m., to 2:00 a.m.
4 I worked overtime hours during this period as set forth below.

5 7. I worked seven days a week with no day off.

6 8. As a result, I worked a total of 60 hours overtime for each pay period from February
7 17, 2005, to August 31, 2005, for a total of 14 pay periods, and 42 hours overtime for the pay
8 period September 1, 2005, to September 14, 2005. The total unpaid overtime hours for the pay
9 periods February 17, 2005, to September 14, 2005, is 882.

10 9. I also worked a total of 32 hours overtime for each pay period from September 15,
11 2005, to January 4, 2006, for a total of 8 pay periods. The total unpaid overtime hours for the
12 pay period September 15, 2005, to January 4, 2006, is 256.

13 10. My regular rate of pay was \$3.05. My overtime rate of pay was \$4.575.

14 11. Therefore, the total unpaid overtime hours owed to me by Defendants is 1,138 hours
15 @ \$4.575 per hour for a total of \$5,206.35.

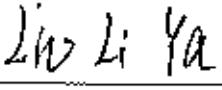
16 12. I am entitled to an additional equal amount as liquidated damages. As such, I am
17 entitled to \$10,412.70, for unpaid overtime wages, including liquidated damages.

18 13. Defendants charged me a total of \$210.00 per month for housing, which is \$160.00 in
19 excess of what we agreed, for a total of ten months. Defendants owe me a refund of \$1,600.00
20 for the overcharges for housing in violation of my Employment Contract.

21 14. I incurred costs in the amount of \$625.00 and attorney's fees in the amount of
22 \$1,880.00.

23 15. My total damages amount to \$14,517.70.

1 I declare under penalty of perjury that the foregoing is true and correct and that this
2 Declaration was executed this 25th day of October, 2007, in Saipan, Commonwealth of the
3 Northern Mariana Islands.
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7 LIYA LIU
8 Plaintiff

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